

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

In Re: William M. Richmond,
Debtor

New Hampshire Supreme Court
Committee on Professional Conduct,
Appellee

v.

Civil No. 06-cv-426-SM

William M. Richmond,
Appellant

O R D E R

Denied. Appellant seeks a stay of this court's order dated September 27, 2007 (and the judgment entered), pending his appeal to the United States Court of Appeals for the First Circuit. This court's order affirmed the bankruptcy court's earlier determination that the imposition of the costs associated with appellant's state disbarment proceeding constituted a sanction that was not dischargeable in bankruptcy. A stay of judgment pending appeal is necessary only when some action might be taken on the judgment that would be beyond the power of the appellate court to undo, or that might moot the appeal in some way. See In Re Public Service Co. of N.H., 963 F.2d 469, 473 n. 10 (1st Cir. 1992). Here, appellant seeks only a stay of execution on the

court's affirmance - he does not seek a stay with respect to any other matter, and does not suggest any reason to think the principal issue might be mooted during the pendency of his appeal by some interim action taken on that judgment. The motion for stay (document no. 58) is denied, but without prejudice to appellant's seeking a stay in the Court of Appeals if he believes it necessary for some reason not articulated here.

SO ORDERED.



Steven J. McAuliffe
Chief Judge

December 26, 2007

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